Attorney Docket No. 3177 P 408

PATENT

Examiner: James N. Smalley

3727

Art Unit:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stephen Alan Smith et al.

Application No.: 10/826,968

Confirmation No.: 1182 Filed On: April 15, 2004

Filed On: April 13, 2004

For: Container Lid With Closure Member

Mail Stop AF Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

Dear Sir:

Transmitted herewith is an Amendment in the above-identified Application. Applicants are other than a small entity. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply. The shortened statutory period of response is set to expire on April 26, 2006. Applicants believe that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any deficiencies in these fees to Deposit Account No. 23-0280. A duplicate copy of this sheet is attached.

No additional fee for the Amendment is required. The fee for the Amendment has been calculated as shown below:

						Small Entity		Other Than A Small Entity	
	Claims Remaining After Amendment		Highest Number Previously Paid For		Present Extra	Rate	Additional Fee	Rate	Additional Fee
Total	23		23	=	0	x \$25=		x \$50=	\$0
Independent	5		5	=	0	x \$100=		x \$200=	\$0
☐ First Presentation of Multiple Dependent Claims x \$180= x \$360=									\$0
TOTAL ADDITIONAL FEE									\$0

Attorney Docket No. 3177 P 408 Application No. 10/826,968 Page 2

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-0280. A duplicate copy of this sheet is attached.

X

Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra Claims.

By:

Respectfully submitted,

Date:

April 26, 2006

Paul J. Nykaza, Reg. No. 38,984

Peter M. Siavelis, Reg. No. 51,136 Wallenstein Wagner & Rockey, Ltd.

311 South Wacker Drive, 53rd Floor

Chicago, Illinois 60606-6630

312.554.3300

CERTIFICATE UNDER (37 C.F.R. § 1.8a)

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop AF, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on. April 26, 2006

MAY 0 1 2006 00

ttorney Docket No. 3177 P 408



PATENT

Examiner: James N. Smalley

3727

Art Unit:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stephen Alan Smith, et al.

Application No.: 10/826,968

Confirmation No.: 1182

Filed On: April 15, 2004

For: Container Lid With Closure Member

Mail-Stop AF Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450

REPLY TO FINAL OFFICE ACTION MAILED JANUARY 26, 2006

Dear Sir:

In response to the Office Action of January 26, 2006, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 6 of this paper.